

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS1. TITLE OF CASE (NAME OF FIRST PARTY ON EACH SIDE ONLY) Comcast of Massachusetts I, Inc. vs. Thomas DeMarco

2. CATEGORY IN WHICH THE CASE BELONGS BASED UPON THE NUMBERED NATURE OF SUIT CODE LISTED ON THE CIVIL COVER SHEET. (SEE LOCAL RULE 40.1(A)(1)).

— I. 160, 410, 470, R.23, REGARDLESS OF NATURE OF SUIT.

XX II. 195, 368, 400, 440, 441-444, 540, 550, 555, 625, 710, 720, 730, 740, 790, 791, 820*, 830*, 840*, 850, 890, 892-894, 895, 950.

*Also complete AO 120 or AO 121 for patent, trademark or copyright cases

— III. 110, 120, 130, 140, 151, 190, 210, 230, 240, 245, 290, 310, 315, 320, 330, 340, 345, 350, 355, 360, 362, 365, 370, 371, 380, 385, 450, 891.

— IV. 220, 422, 423, 430, 460, 510, 530, 610, 620, 630, 640, 650, 660, 690, 810, 861-865, 870, 871, 875, 900.

— V. 150, 152, 153.

3. TITLE AND NUMBER, IF ANY, OF RELATED CASES. (SEE LOCAL RULE 40.1(C)). IF MORE THAN ONE PRIOR RELATED CASE HAS BEEN FILED IN THIS DISTRICT PLEASE INDICATE THE TITLE AND NUMBER OF THE FIRST FILED CASE IN THIS COURT.

None4. HAS A PRIOR ACTION BETWEEN THE SAME PARTIES AND BASED ON THE SAME CLAIM EVER BEEN FILED IN THIS COURT?
YES ☐ NO ☒5. DOES THE COMPLAINT IN THIS CASE QUESTION THE CONSTITUTIONALITY OF AN ACT OF CONGRESS AFFECTING THE PUBLIC INTEREST? (SEE 28 USC §2403)
YES ☐ NO ☒IF SO, IS THE U.S.A. OR AN OFFICER, AGENT OR EMPLOYEE OF THE U.S. A PARTY?
YES ☐ NO ☒6. IS THIS CASE REQUIRED TO BE HEARD AND DETERMINED BY A DISTRICT COURT OF THREE JUDGES PURSUANT TO TITLE 28 USC §2284?
YES ☐ NO ☒7. DO ALL OF THE PARTIES IN THIS ACTION, EXCLUDING GOVERNMENTAL AGENCIES OF THE UNITED STATES AND THE COMMONWEALTH OF MASSACHUSETTS ("GOVERNMENTAL AGENCIES"), RESIDING IN MASSACHUSETTS RESIDE IN THE SAME DIVISION? - (SEE LOCAL RULE 40.1(D)).
YES ☒ NO ☐1. IF YES, IN WHICH DIVISION DO ALL OF THE NON-GOVERNMENTAL PARTIES RESIDE?
EASTERN DIVISION ☒ CENTRAL DIVISION ☐ WESTERN DIVISION ☐2. IF NO, IN WHICH DIVISION DO THE MAJORITY OF THE PLAINTIFFS OR THE ONLY PARTIES, EXCLUDING GOVERNMENTAL AGENCIES, RESIDING IN MASSACHUSETTS RESIDE?
EASTERN DIVISION ☐ CENTRAL DIVISION ☐ WESTERN DIVISION ☐

(PLEASE TYPE OR PRINT)

ATTORNEY'S NAME John M. McLaughlinADDRESS Green, Miles, Lipton & Fitz-Gibbon, 77 Pleasant Street, P.O. Box 210, Northampton, MA 01061TELEPHONE NO. (413) 586-0865

JS 44 (Rev. 3/99)

CIVIL COVER SHEET

The JS-44 civil cover sheet and information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

1. (a) PLAINTIFFS

Comcast of Massachusetts I, Inc.

DEFENDANTS

Thomas DeMarco

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF Middlesex
(EXCEPT IN U.S. PLAINTIFF CASES)

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT Middlesex
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

John M. McLaughlin
77 Pleasant Street, P.O. Box 210
Northampton, MA 01061-0210 (413) 586-8218

ATTORNEYS (IF KNOWN)

II. BASIS OF JURISDICTION

(PLACE AN "X" IN ONE BOX ONLY)

- 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES

(PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

	PTF	DEF		PTF	DEF
Citizen of This State	1		Incorporated or Principal Place of Business In This State	4	4
Citizen of Another State	2	2	Incorporated and Principal Place of Business In Another State	5	5
Citizen or Subject of a Foreign Country			Foreign Nation		

IV. NATURE OF SUIT (PLACE AN "X" IN ONE BOX ONLY)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
10 Insurance	PERSONAL INJURY	PERSONAL INJURY	10 Agriculture	422 Appeal 28 USC 158	100 State Reapportionment
20 Marine	110 Airplane	362 Personal Injury - Med. Malpractice	20 Other Food & Drug	423 Withdrawal 28 USC 157	110 Antitrust
30 Miller Act	115 Airplane Product Liability	465 Personal Injury - Product Liability	25 Drug Related Seizure of Property 21 USC 881		130 Banks and Banking
40 Negotiable Instrument	320 Assault Libel & Slander	368 Asbestos Personal Injury Product Liability	30 Liquor Laws		150 Commerce/ICC Rates/etc.
50 Recovery of Overpayment & Enforcement of Judgment	330 Federal Employers Liability		40 R.R. & Truck	PROPERTY RIGHTS	160 Deportation
51 Medicare Act	340 Marine	PERSONAL PROPERTY	50 Airline Regs.	320 Copyrights	170 Racketeer Influenced and Corrupt Organizations
52 Recovery of Defaulted Student Loans (Excl. Veterans)	345 Marine Product Liability	370 Other Fraud	60 Occupational Safety/Health	330 Patent	510 Selective Service
53 Recovery of Overpayment of Veteran's Benefits	350 Motor Vehicle	371 Truth in Lending	90 Other	340 Trademark	350 Securities/Commodities/Exchange
160 Stockholders Suits	355 Motor Vehicle Product Liability	380 Other Personal Property Damage			375 Customer Challenge 12 USC 3410
190 Other Contract	360 Other Personal Injury	385 Property Damage Product Liability	LABOR	SOCIAL SECURITY	391 Agricultural Acts
195 Contract Product Liability			710 Fair Labor Standards Act	761 HIA (1395ff)	392 Economic Stabilization Act
			20 Labor/Mgmt Relations	762 Black Lung (923)	393 Environmental Matters
			730 Labor/Mgmt Reporting & Disclosure Act	763 DIWC/DIWW(405(g))	394 Energy Allocation Act
			740 Railway Labor Act	764 SSID Title XVI	395 Freedom of Information Act
			90 Other Labor Litigation	765 RSI (405(g))	300 Appeal of Fee Determination Under Equal Access to Justice
			791 Empl Ret Inc. Security Act	FEDERAL TAX SUITS	950 Constitutionality of State Statutes
				870 Taxes (U.S. Plaintiff or Defendant)	<input checked="" type="checkbox"/> 890 Other Statutory Actions
				871 IRS - Third Party 26 USC 7609	

V. ORIGIN

(PLACE AN "X" IN ONE BOX ONLY)

☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ Reinstated or Reopened ☐ Transferred from another district (specify) ☐ Multidistrict Litigation ☐ Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

(CITE THE U. S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY.)

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 ☐

DEMAND \$
\$10,000.00

CHECK YES only if demanded in Complaint
JURY DEMAND: YES ☒ NO

VIII. RELATED CASE(S) (See instructions): IF ANY

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____